

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CHUCK FREI,

Defendant.

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x

INFORMATION

18 Cr. _____

18 CRIM

822

COUNT ONE

(Conspiracy to Commit Wire Fraud)

The United States Attorney charges:

1. From in or about 2007 up to and including in or about July 2015, in the Southern District of New York and elsewhere, CHUCK FREI, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that CHUCK FREI, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause

to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, FREI, who during the charged time period was an executive at an apparel company ("Company-1"), conspired to submit fraudulent invoices to U.S. Customs and Border Protection that significantly understated the value of merchandise imported into the United States by Company-1, and sent email communications from Manhattan, New York in furtherance of the scheme.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Wire Fraud)

The United States Attorney further charges:

3. From in or about 2007 up to and including in or about June 2013, in the Southern District of New York and elsewhere, CHUCK FREI, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false

and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, FREI submitted, and aided and abetted others in submitting, fraudulent invoices to U.S. Customs and Border Protection that significantly understated the value of merchandise imported into the United States by Company-1, and in furtherance thereof, FREI transmitted and caused to be transmitted interstate telephone calls, emails and wire transfers of funds, from his office in Manhattan, New York, among other places.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE

(Effecting the Entry of Falsely Valued Goods)

4. From in or about 2007, up to and including in or about June 2013, in the Southern District of New York and elsewhere, CHUCK FREI, the defendant, knowingly effected the entry of goods, wares, and merchandise, at less than the true weight or measure thereof, and upon a false classification as to

quality and value, and by the payment of less than the amount of duty legally due, to wit, FREI submitted, and aided and abetted others in submitting, fraudulent invoices to U.S. Customs and Border Protection that significantly understated the value of merchandise imported into the United States by Company-1.

(Title 18, United States Code, Sections 541 and 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offenses alleged in Counts One and Two of this Information, CHUCK FREI, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendant personally obtained.

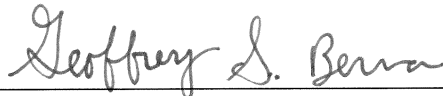
SUBSTITUTE ASSET PROVISION

6. If any of the above described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. §§ 541, 1343, 1349, and 2.)

Geoffrey S. Berman
United States Attorney.
